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REMARKS

The Examiner has, in response to the Appeal Brief, withdrawn the status of the Final Office Action and has issued a new Office Action. In the Office Action, Claims 1, 2, 9, and 10 have been rejected as unpatentable over Liddy; Claims 5-8 have been allowed, and Claims 3-4 and 11-12 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the rejected base claim and any intervening claims.

By the present amendment, Applicants have amended Claims 1 and 9. In addition, Applicants have introduced Claims 13-16 and 17, which are method and program storage device claims that parallel allowed system Claims 5-8. Applicants have additionally introduced Claim 18 which is a system claim that parallels Claims 1 and 9 as amended. Applicants hereby provide authorization to charge Deposit Account 50-0510 in the amount of \$258.00 for the introduction of two new independent claims. Authorization is additionally given to charge any shortcoming in filing fees to Deposit Account 50-0510. In view of the amendments,

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and the arguments set forth below, Applicants believe that all of the claims are patentable over the cited art.

The subject invention is a computerized method, apparatus, and program storage device for performing a method for retrieving multidimensional data from a database in response to a user query. The method includes the steps of first searching the database to retrieve data based on the user query; presenting retrieved data to user; receiving user input based on the retrieved data; transforming the database based on the user input to generate a transformed database; successively searching the transformed database to retrieve data; and iteratively repeating steps b through e until the query is satisfied (Claims 1, 9, and 18, as well as Claims 2-4 and 10-12 which depend from Claims 1 and 9 respectively). The invention further comprises an embodiment wherein the step of transforming the database further comprises reformulating the query based on the user input and wherein the searching of the transformed database further comprises searching the transformed database based on the reformulated query (Claims 2 and 10). In detailing transforming of the database, the present Specification teaches modifying the linear transform matrix, transforming

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the feature space, changing the distance/similarity measures, and weighting features within the database, which language has been incorporated into Claims 1, 9 and 18, and reformulation of the query (Claims 2 and 10), (see: page 16, lines 8-14; page 17, lines 13-16; page 18, lines 14-17; page 19, line 17-page 28, line 3). Allowed system Claim 5, as well as Claims 6-8 which depend therefrom, and Claims 13-17, recite an apparatus, a method and a program storage device for performing retrieval of information in response to a user query in a system having at least one client location and at least one server location at least one database storing said information at said at least one server, by the steps of: storing information in at least one database at said at least one server; maintaining indices related to information in said at least one database; receiving a query; retrieving said indices in response to said query; identifying database areas to be searched based on said retrieved indices; and conducting searches of said at least one database of said areas to be searched in response to said query.

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The Liddy patent is directed to a system and method wherein a GUI allows a user to "interact with the computer-generated query representation" (Col. 7, lines 35-45) and to "re-submit a query based on the contents of documents considered highly relevant" (Col. 27, lines 10-25). In detailing what is meant by re-submitting the query, the Liddy teachings at Col. 35, lines 25-35 describe that a user marks relevant documents (with such system-provided designations as "more like") after which the system provides a new query representation. Applicants respectfully assert that user marking of a computer generated query representation is neither the same as nor suggestive of the claimed step of transforming the database based on user input to retrieved data. Under the Liddy teachings, the system formulates the query and the user simply presses "enter", while under the claimed invention, the user is presented with retrieved results, the user provides input based on retrieved query results, the database is transformed based on such user input, and the system conducts successive searching in response to the user input. Applicants respectfully assert that Liddy neither teaches nor suggests the claim language.

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It is well established under U.S. Patent Law that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention when there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art (*In re Fine*, 837 F. 2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F. 2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992)). Applicants respectfully assert that there are no teachings, suggestions, or motivations provide by the Liddy patent to modify the Liddy system in such a way as to obviate the invention as claimed. Liddy neither teaches nor suggests transforming its database as claimed; neither teaches nor suggests searching a transformed database; and, neither teaches nor suggests iteratively repeating the steps of receiving user input to retrieved results, transforming the database, and successively searching the transformed database until a user query is satisfied. Accordingly, Applicants conclude that the Liddy patent does not render the claims obvious.

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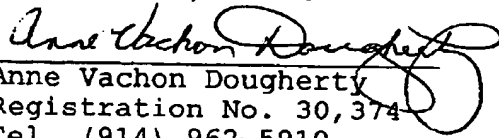
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In light of the foregoing amendments and remarks, Applicants respectfully request entry of the amendments, as discussed in the telephone interview on June 3, 2004 with Examiner Truong and Primary Examiner Corriellus, withdrawal of the rejections, and issuance of the claims.

Respectfully submitted,
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